

THE HONORABLE BARBARA J. ROTHSTEIN

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON**

DEVON AVERY, BLONDEL GARNER, BRIAN
HAYES, DANIEL MOON, and TIMOTHY
RYAN, on behalf of themselves and a class of
similarly situated persons,

Plaintiffs,

v.

T-MOBILE USA, INC.,

Defendant.

No. 2:21-cv-01189-BJR

**STIPULATION AND ORDER TO
EXTEND TIME TO ANSWER
COMPLAINT**

**STIPULATION AND ORDER TO
EXTEND TIME TO ANSWER
(No. 2:21-cv-01189-BJR) - 1**

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Under Western District of Washington Local Rules 7(d)(1) and 10(g), Plaintiffs Devon Avery, Blondel Garner, Brian Hayes, Daniel Moon, and Timothy Ryan, and Defendant T-Mobile USA, Inc., (“the Parties”), stipulate that T-Mobile’s deadline to answer or otherwise respond to the Complaint in the above-captioned action is extended through January 3, 2022.

Good cause exists for this extension, as there is a pending motion before the Judicial Panel on Multidistrict Litigation (“JPML”) regarding transfer and coordination or consolidation of related cases for pretrial proceedings under 28 U.S.C. § 1407, filed on August 23, 2021. *See In re T-Mobile Customer Data Security Breach Litigation.*, MDL Docket No. 3019 (ECF No. 1). The plaintiffs in another case, *Daruwalla v. T-Mobile USA, Inc.*, No. 2:21-cv-1118 (W.D. Wash. filed Aug. 19, 2021), filed the transfer motion and identified this case, and numerous others, as related cases that should be transferred. *Id.* (ECF Nos. 1, 8, 11, 20). The additional time will conserve judicial resources by allowing T-Mobile to assess the pending JPML motion and continue discussions with Plaintiffs’ counsel here and counsel in the related cases before responding to Plaintiffs’ Complaint.

Dated: October 27, 2021

By: /s/ Steve Y. Koh

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ORDER

IT IS SO ORDERED.

Dated this 28th day of October, 2021.

s/Barbara J. Rothstein
Barbara J. Rothstein
U.S. District Court Judge

Presented by:

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